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10/571,503

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Jean-Yves Bitterlich

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EXAMINER

PHANTANA ANGKOOL, DAVID

ART UNIT

PAPER NUMBER

2175

NOTIFICATION DATE

DELIVERY MODE

02/07/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| | | | |
|------------------------------|---|--|--|
| Office Action Summary | Application No. 10/571,503 | Applicant(s) BITTERLICH, JEAN-YVES | |
| | Examiner David Phantana-angkool | Art Unit 2175 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-12, 14, 16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-12 is/are rejected.
- 7) ☒ Claim(s) 14, 16 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been reassigned to Examiner David Phantana-angkool.

This action is made Final.

2. This action is responsive to Applicant's Remarks filed on December 28th, 2010.
3. Claims 4-12, 14, 16, and 18 are pending in the case. Claims 4, 7, and 10 are independent claims.
4. It is noted that the last Office Action contains a clerical error with regard to the claim rejection heading. The last Office Action indicated a 35 USC 102 claim rejection heading, but should have been 35 USC 103(a) claim rejection heading instead. The error is now corrected in this Office Action and no new changes have been made to the rejection except the claim rejection heading.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 4-12 are rejected under 35 U.S.C. 103(a) as being obvious by Saka, US# 7,519,910 (hereinafter Saka).**

As for independent claim 4:

Saka shows a method for generating an object processing platform between an object computer and a processing computer, wherein an ad hoc screen assembly is performed by the object computer with the processing computer to couple a respective input and/or output device, comprising of:

- *an assembled display combining at least a portion of a display belonging to the object computer and at least a portion of a display belonging to the processing computer* (Saka in Figure 12 and

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column 7, lines 15-20 show a user interface displaying a portion of a display of a local machine desktop and a remote machine desktop),

- *in response to a user moving an object from the portion of the assembled display belonging to the object computer to an interaction area of the portion of the assembled display belonging to the processing computer, automatically generating an object processing platform.* (Figure 12 shows the interaction area where the user can copy a file from one computer to another by selecting the desired file or icon, see 7:15-20 and 7: 37-42).
- *activating a local file processing function by means of a local coupling of the object to the interaction area (7:37-42);*
- *wherein the object computer is configured to generate a local object computer graphical user interface (GUI) displayed by the object computer (local machine, see Figure 12); wherein the processing computer is configured to generate a local processing computer GUI displayed by the processing computer (remote machine, see Figure 12); and wherein as a result of generating the assembled display (Figure 12, see assembled display in 7: 38-40) at least a portion of the local object computer GUI displayed by the object computer at the time of generating the assembled display is displayed on the display belonging to the processing computer (Saka shows the user copying files from a remote machine desktop to local machine desktop by moving the respective icons from remote machine desktop to local machine desktop in column 7, lines 42-47. Figure 12 shows a portion of both local and remote machine desktops at the same time. Saka shows that file #183 Figure 12# 1066 and pdf file Figure 12# 1068 maybe copied from remote machine desktop to local machine desktop. Saka shows the desktop of the object computer (local) is displayed on the processing computer (remote).*

While Saka shows *assembled display combining at least a portion of a display belonging to the object computer and at least a portion of a display belonging to the processing computer*, Saka does not specifically show *the object computer initiating a generating of an assembled display*. However Saka does teach that both the object (local, client) and the processing (remote, host) computers run Virtual Network Resource Sharing (VNRS) software. The VNRS software allows either the object (local, client)

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or the processing (remote, host) to manipulate the assembled display, see 2:44-48. Accordingly it would have been obvious to a skilled artisan at the time of the invention was made to modify the VNRS software as shown by Saka to install on the object computer. The motivation for modifying Saka teaching is to allow the object computer to communicate with the other computers connected via VNRS software, thus allowing the user to view a plurality of desktops (5: 65-6:6 and 7:42-47).

As for dependent claim 5:

Saka shows *the method according to claim 4, further, comprising an application-specific processing of the object is started by a further coupling of the object to an application icon on the display belonging to the processing computer* (7: 37-47)

As for dependent claim 6:

Saka shows *the method according to claim 5, wherein object-computer-specific data of the object is converted into application-specific data* (7:37-47 and 7:53-64)

As for independent claim 7:

Claim 7 contains similar substantial subject matter as claimed in independent claim 4, and is respectfully rejected along the same rationale.

As for dependent claims 8 and 9:

Claims 8 and 9 contain similar substantial subject matter as claimed in claims 5 and 6, and are respectfully rejected along the same rationale.

As for independent claim 10:

Claim 10 contains similar substantial subject matter as claimed in independent claim 4, and is respectfully rejected along the same rationale.

As for dependent claims 11 and 12:

Claims 11 and 12 contain similar substantial subject matter as claimed in claims 5 and 6, and are respectfully rejected along the same rationale.

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Allowable Subject Matter

7. Claims 14, 16, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments with respect to claims 4-12 have been considered but are moot in view of the new ground(s) of rejection. It is noted that a Non-Final Action was mailed out on April 28th, 2010 and not a Final Action as stated in Applicants' Remarks dated 07/30/2010.

9. Applicant asserts that Saka does not teach or anticipate every element of Applicant's claims. The Office agrees with Applicant assertion. It is noted that the last Office Action contains a clerical error with regard to the claim rejection heading. The last Office Action indicated a 35 USC 102 claim rejection heading, but should have been 35 USC 103(a) claim rejection heading instead. The error is now corrected in this Office Action and no new changes have been made to the rejection except the claim rejection heading.

10. Applicant argues that Saka teaching is clearly different than allowing the second computer to initiate the manipulation of the display of a foreign computer, especially in view of securities concerns as would be known by one of ordinary skill in the art (Applicant's remarks, Pg. 8).

The Office respectfully disagrees.

11. As shown in the last Office Action, Saka specifically teaches that both the object (local, client) and the processing (remote, host) computers run Virtual Network Resource Sharing (VNRS) software. The VNRS software allows either the object (local, client) or the processing (remote, host) to manipulate the assembled display, see 2:44-48. Thus Saka clearly renders all the limitations in independent claim 4 as obvious including the following limitation:

the object computer initiating a generating of an assembled display

Additionally see part of the rejection to independent claim 4:

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While Saka shows *assembled display combining at least a portion of a display belonging to the object computer and at least a portion of a display belonging to the processing computer*, Saka does not specifically show the object computer initiating a generating of an assembled display. However Saka does teach that both the object (local, client) and the processing (remote, host) computers run Virtual Network Resource Sharing (VNRS) software. The VNRS software allows either the object (local, client) or the processing (remote, host) to manipulate the assembled display, see 2:44-48. Accordingly it would have been obvious to a skilled artisan at the time of the invention was made to modify the VNRS software as shown by Saka to install on the object computer. The motivation for modifying Saka teaching is to allow the object computer to communicate with the other computers connected via VNRS software, thus allowing the user to view a plurality of desktops (5: 65-6:6 and 7:42-47).

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Phantana-angkool whose telephone number is 571-272-2673. The examiner can normally be reached on M-F, 9:00-5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 571-272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DP
/David Phantana-angkool/
Examiner, Art Unit 2175

/William L. Bashore/
Supervisory Patent Examiner, Art Unit 2175